



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

VICTORIA'S SECRET STORES BRAND
MANAGEMENT, INC.,

Plaintiff,

-against-

INTERTEX APPAREL LTD. and MACY'S,
INC.,

Defendants.

Case No. 08 CV 03452 (SHS)
ECF Case

JOINT RULE 26(f) REPORT

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, Plaintiff Victoria's Secret Stores Brand Management, Inc. ("Plaintiff") and Defendants Intertex Apparel Ltd. and Macy's Inc. (collectively, "Defendants") respectfully submit this Joint Rule 26(f) Report.

On May 28, 2008, counsel for the Plaintiff and counsel for the Defendants met and conferred by telephone to consider:

1. what changes should be made in the timing, form, or requirement for disclosures under Rule 26(a) including a statement as to when disclosures under Rule 26(a)(1) were made or will be made;
2. the subjects on which discovery may be needed, when discovery should be completed, and whether discovery should be conducted in phases or be limited to or focused upon particular issues;
3. what changes should be made in the limitations on discovery imposed under these rules or by local rule, and what other limitations should be imposed; and
4. orders that should be entered by the court under Rule 26(c) or under Rule 16(b) and (c).

Rule 26(a) Initial Disclosures

The parties have agreed to exchange written disclosures pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure by June 12, 2008.

Discovery

The parties agree that discovery should not be conducted in phases or limited or focused on one particular issue or issues.

The parties agree that no change in the limitations on discovery imposed under the federal rules or the local rules should be made, nor should any other limitations be imposed.

Proposed Scheduling Order

The parties propose the following schedule:

- (1) Joinder of additional parties by June 27, 2008.
- (2) Amend the pleadings by June 27, 2008.
- (3) All fact discovery to be completed by ~~March~~ ^{Nov 4} 27, 2008.
- (4) Expert disclosures under Rule 26(a)(2) by ~~April 24~~ ^{December 31}, 2008.
- (5) Rebuttal expert reports by ~~May 25~~ ^{Jan 30}, 2009.
- (6) Expert discovery to be completed by ~~June 30~~ ^{Feb 27}, 2009.
- (7) Dispositive motions shall be filed and served by July 31, 2009.

Stipulated Protective Order

The parties contemplate moving the Court for a Stipulated Protective Order to facilitate production of confidential documents and information in the course of discovery.

Settlement Status

The parties engaged in initial settlement discussions but agreed that they were futile at this juncture.

Respectfully submitted,

Dated: June 4, 2008

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*Attorneys for Defendant and Counterclaim Plaintiff
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SO ORDERED on this 19 day of June 2008

Hon. Sidney H. Stein, U.S.D.J.